

Introduced by Senator Peace

February 24, 2000

An act relating to the payment of claims against the State of California, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 1894, as introduced, Peace. Claims against the state: appropriation.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Existing statute establishes procedures for making that reimbursement and authorizes the Legislature to suspend a mandated program by not funding it in the State Budget for any fiscal year.

Existing law also requires the Controller, in the event that there are insufficient revenues to fund all of the state-mandated claims approved by the Controller, to report immediately this deficiency to the Legislature for additional appropriation, and requires that any additional appropriation include an amount necessary to reimburse any interest due to eligible claimants.

This bill would appropriate \$_____ from the General Fund and the State Transportation Fund to the Controller. From the General Fund, \$_____ would be allocated for the payment of certain claims by local agencies and school districts for reimbursement for state-mandated local costs and \$_____ would be allocated to pay for prior year deficiencies, including interest, thereon. From the

Aeronautics Account in the State Transportation Fund, \$35,000 would be allocated to provide reimbursement to local agencies of costs incurred for the period of January 1, 1995, through June 30, 2001, for Airport Land Use Commissions/Plans.

The bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The sum of _____ dollars (\$_____) is hereby appropriated from the General Fund, where a fund is not otherwise specified, and the State Transportation Fund, where specified, to the Controller for allocation as follows:

2 (a) Thirty-five thousand dollars (\$35,000) from the Aeronautics Account in the State Transportation Fund for the payment of claims from counties, cities, a city and county, or other appropriately designated local government entities, pursuant to Sections 21670 and 21670.1 of the Public Utilities Code, as amended by Chapter 644 of the Statutes of 1994, Chapter 66 of the Statutes of 1995, and Chapter 91 of the Statutes of 1995 (Airport Land Use Commissions/Plans), for costs incurred from January 1, 1995, to June 30, 2001, inclusive.

3 (b) Four million five hundred eighty-seven thousand dollars (\$4,587,000) for the payment of claims from counties, or a city and county, pursuant to subdivisions (e), (f), (g), (h), and (i) of Section 273.5 and Sections 1000.93, 1000.94, 1000.95, and 1203.097 of the Penal Code, as repealed, added, or amended by Chapters 183 and 194 of the Statutes of 1992, Chapter 28 of the First Extraordinary Session of the Statutes of 1994, and Chapter 641 of the Statutes of 1995 (Domestic Violence Treatment Services--Authorization and Case Management), for costs incurred from January 1, 1996, to June 30, 2001, inclusive.

4 (c) Seven hundred seventy-nine thousand dollars (\$779,000) for the payment of claims from school districts,

1 except for community college districts, pursuant to
2 Section 51230 of the Education Code, as added by
3 Chapter 778 of the Statutes of 1996 (American
4 Government Course Document Requirements), for costs
5 incurred from January 1, 1997, to June 30, 2001, inclusive.

6 (1) Of the amount appropriated in this subdivision,
7 _____ dollars (\$_____) shall be appropriated from
8 the Proposition 98 Reversion Account.

9 (2) For the purposes of making the computations
10 required by Section 8 of Article XVI of the California
11 Constitution, _____ dollars (\$_____) of the amount
12 appropriated by subdivision (b) shall be deemed to be
13 “General Fund revenues appropriated for school
14 districts,” as defined in subdivision (c) of Section 41202 of
15 the Education Code, for the 2000–01 fiscal year, and
16 included within the total allocations to school districts and
17 community college districts from General Fund proceeds
18 of taxes appropriated pursuant to Article XIII B of the
19 California Constitution and as defined in subdivision (e)
20 of Section 41202 of the Education Code, for the 2000–01
21 fiscal year.

22 (d) _____ dollars (\$_____) for the payment of
23 claims from counties, cities, a city and county, and special
24 districts, pursuant to Section 1797.192 of the Health and
25 Safety Code, as added by Chapter 1111 of the Statutes of
26 1989 and later renumbered as Section 1797.193 by
27 Chapter 216 of the Statutes of 1990 (Sudden Infant Death
28 Syndrome Training for Firefighters), for costs incurred
29 from July 1, 1990, to June 30, 2001, inclusive.

30 (e) _____ dollars (\$_____) for the payment of
31 claims from counties, cities, a city and county, and special
32 districts, pursuant to Sections 51175 to 51189, inclusive, of
33 the Government Code, and Sections 13108.5 and 13132.7
34 of the Health and Safety Code, as added and amended by
35 Chapter 1188 of the Statutes of 1992, Chapter 843 of the
36 Statutes of 1994, and Chapter 333 of the Statutes of 1995
37 (Very High Fire Hazard Severity Zones), for costs
38 incurred from July 1, 1996, to June 30, 2001, inclusive.

39 (f) _____ dollars (\$_____) for the payment of
40 claims from school districts, except for community

1 college districts, that are adjacent to the international
2 border, pursuant to Sections 48204.5 and 48204.6 of the
3 Education Code, and Section 97.3 of the Revenue and
4 Taxation Code, as added and amended by Chapter 309 of
5 the Statutes of 1995 (Pupil Residency Verification and
6 Appeals), for costs incurred from August 3, 1995, to June
7 30, 2001, inclusive.

8 (1) Of the amount appropriated in this subdivision,
9 _____ dollars (\$_____) shall be appropriated from
10 the Proposition 98 Reversion Account.

11 (2) For the purposes of making the computations
12 required by Section 8 of Article XVI of the California
13 Constitution, _____ dollars (\$_____) of the amount
14 appropriated by subdivision (b) shall be deemed to be
15 “General Fund revenues appropriated for school
16 districts,” as defined in subdivision (c) of Section 41202 of
17 the Education Code, for the 2000–01 fiscal year, and
18 included within the total allocations to school districts and
19 community college districts from General Fund proceeds
20 of taxes appropriated pursuant to Article XIII B of the
21 California Constitution and as defined in subdivision (e)
22 of Section 41202 of the Education Code, for the 2000–01
23 fiscal year.

24 (g) _____ dollars (\$_____) for the payment of
25 claims from school districts, except for community
26 college districts but including charter schools, pursuant to
27 Sections 44332.6, 44830.1, 45122.1, 45125, and 45125.1 of the
28 Education Code, as added and amended by Chapter 588
29 of the Statutes of 1997, and Chapter 589 of the Statutes of
30 1997 (Criminal Background Checks—a.k.a. Michele
31 Montoya School Safety Act), for costs incurred from
32 September 30, 1997, to June 30, 2001, inclusive.

33 (1) Of the amount appropriated in this subdivision,
34 _____ dollars (\$_____) shall be appropriated from
35 the Proposition 98 Reversion Account.

36 (2) For the purposes of making the computations
37 required by Section 8 of Article XVI of the California
38 Constitution, _____ dollars (\$_____) of the amount
39 appropriated by subdivision (b) shall be deemed to be
40 “General Fund revenues appropriated for school

1 districts,” as defined in subdivision (c) of Section 41202 of
2 the Education Code, for the 2000–01 fiscal year, and
3 included within the total allocations to school districts and
4 community college districts from General Fund proceeds
5 of taxes appropriated pursuant to Article XIII B of the
6 California Constitution and as defined in subdivision (e)
7 of Section 41202 of the Education Code, for the 2000–01
8 fiscal year.

9 (h) _____ dollars (\$_____) for the payment of
10 deficiencies in prior year appropriations, which includes
11 payment of interest on those deficiencies, incurred
12 through June 30, 2000, pursuant to Section 17561.6 of the
13 Government Code, as detailed in the Controller’s letter
14 to the Department of Finance dated _____.

15 SEC. 2. This act is an urgency statute necessary for the
16 immediate preservation of the public peace, health, or
17 safety within the meaning of Article IV of the
18 Constitution and shall go into immediate effect. The facts
19 constituting the necessity are:

20 In order to settle claims by school districts and local
21 government agencies against the state for mandated costs
22 associated with implementing designated provisions of
23 law, and to end hardship to those school districts and local
24 government agencies, it is necessary for this act to take
25 effect immediately.

